

### **ALLOWANCE**

1. The following is an Allowance in response to the communication received on February 29, 2008.

Claims 6-7, 14, 21-22, 29, 35-36 and 43 have been canceled.

Claims 1, 16 and 30 have been amended.

Claims 1-5, 8-13, 15-20, 23-28, 30-34 and 37-42 are now pending in this application.

### ***Reasons for Allowance***

2. Claims 1-5, 8-13, 15-20, 23-28, 30-34 and 37-42 are allowed.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a method, system and article of manufacture for performing customer management relationship processing comprising: specifying both a focal product set and an analysis product set, *prior to performing a pattern detection function*, based on one or more user-specified attributes, *wherein the focal product set includes products that trigger a sequence of customer purchasing behavior for a specified time interval and the analysis product set includes products that describe the customer purchasing behavior*; and performing a pattern detection function in the computer using customer transaction data accessed from a database managed by the computer, wherein the pattern detection function finds patterns in the customer purchasing behavior, as evidenced by the customer transaction data, related to a sequence of when purchases occur, *by comparing the*

*customer transaction data related to the focal product set to the customer transaction data related to the analysis product set using a time frame for an initial focal product set purchase, and a number of time intervals for one or more analysis product set purchases before and after the initial focal product set purchase.*

Additionally, Applicant's arguments filed February 29, 2008 emphasizing that the prior art references cited by the Examiner teach a different sequence of steps compared to the claimed invention (see pages 12-18 of the Remarks) have been found persuasive. Furthermore, Examiner submits that any modification to the references to teach the proper sequence of steps as recited in the claimed invention would either destroy the prior art references and/or be based on hindsight using Applicant's disclosure.

The prior art references most closely resembling Applicant's claimed invention are as follows: Fuisz et al. (U.S. 6,718,310), McArdle et al. (U.S. 6,622,126), Von Kohorn et al. (U.S. 5,227,874) and Billet (U.S. 2003/0018514).

Fuisz et al. teaches monitoring customer transactions to evaluate their purchasing behavior, where the purchasing behavior includes determining what products purchased were prime motivators or derivatives. However, Fuisz et al. does not expressly disclose the specific sequence of steps of the claimed invention of the instant application as discussed above.

McArdle et al. teaches tracking customer segment migration, which is the movement of customers across different customer segments based on their purchasing patterns. However, McArdle et al. does not expressly disclose the specific sequence of steps of the claimed invention of the instant application as discussed above.

Von Kohorn et al. teaches specifying customer levels in order to aggregate customer data. Von Kohorn et al. also teaches identifying motivations in consumers' purchasing decisions. However, Von Kohorn et al. does not expressly disclose the specific sequence of steps of the claimed invention of the instant application as discussed above.

Billet teaches using pattern recognition (such as the relationship between the price of an item and customer decision to purchase the item) to perform forecasting. However, Billet does not expressly disclose the specific sequence of steps of the claimed invention of the instant application as discussed above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Meadows et al. "Assessing the implementation of market segmentation in retail financial services," *International Journal of Service Industry Management*, 1998 discusses customer market segmentation according to similar needs and buying behaviors;
- Haker, Paul. "You can't tell the prospects without a marketing database. (key to a successful telemarketing campaign)," *Telemarketing*, 1992 discusses consumer databases that store consumer purchase and response behaviors;
- Reinartz et al. "On the profitability of long-life customers in a noncontractual setting: An empirical investigation and implications for marketing," *Journal of Marketing*, 2000 discusses consumer segmentation; and
- Macchiette et al. "Affinity marketing: What is it and how does it work?" *Journal of Product and Brand Management*, 1993 discusses different aspects of affinity marketing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren, can be reached at 571-272-6737.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. Michelle Tarae/  
Primary Examiner, Art Unit 3623

June 3, 2008